

**Daniel Town Council Meeting  
Monday, August 4, 2014 at 6:00 PM  
Wasatch County Services Building, Room 126  
55 South 500 East, Heber City, UT**

Quorum present: Council members John Glodowski and Kasey Bateman were present at 6:00 PM when Mayor Chip Turner called the meeting to order. Council member Eric Bunker was excused. Council member Jon Blotter arrived later in the meeting. Recorder Lynne Shindurling was present to record the minutes. Treasurer Sherri Price was also present.

Members of the public in attendance were: Lambert Deegan, Gary Walton, Merry Duggin.

**1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA**

Gary Walton inquired about travel trailers being brought onto residential properties with the Town of Daniel and people living in them, if there is a time limit for such activity. Mayor Turner answered they're allowed to stay for 20 consecutive days. Mr. Walton reported his sighting of two trailers which have been present for some time on Daniels Road. Council member Bateman reported a third he has noticed on Highway 40 as well. They both wondered if there should be health concerns as far as disposal of their sewage. Mayor Turner said with the reporting of this activity, the Town will have to get involved and investigate the circumstances of why the trailers are there for an extended period.

Lambert Deegan inquired if the out-of-towners could plead ignorance as to what the law is. Mayor Turner responded that is a valid possibility and the Town needs to make contact with them and inform them of the 20-day law.

Merry Duggin, as a member of the Wasatch Taxpayers Association informed those present of a meeting in the Heber City Council Chambers on Wednesday, August 6<sup>th</sup>, at 6:00 PM involving truth in taxation and encouraged everyone's attendance. There have been several requests for an increase in taxes from County bodies. Mr. Deegan expressed his surprise that apparently only 15 minutes have been allowed for public comment on such an important issue. Ms. Duggin expressed one of her roles in the association is to find out how much

public outrage there is over the proposed increase in the Fire District taxes and whether a petition ought to be circulated for signatures against the increase. She informed the Council that the Association is going to meet tomorrow, August 5<sup>th</sup>, and would appreciate any comment on the subject of raising taxes for her to take to their meeting.

## **2) BUSINESS LICENSE APPLICANTS**

Since Eric Bunker as the Planning Director was not present, Lynne Shindurling informed the Council that Laurie Duke of Little Learners Preschool had applied for renewal of her license. Renewal was approved by the Council.

Council member Jon Blotter arrived at 6:10 PM.

## **3) PLANNING DEPARTMENT REPORT**

There was no report given as Council member Bunker presents this to the Council and he was not present.

## **4) APPROVAL OF COUNCIL MEETING MINUTES OF JULY 7, 2014**

***Council member Blotter moved to approve the minutes of July 7, 2014. The motion was seconded by Council member Glodowski, and the motion passed with “aye” votes from members Glodowski, Blotter and Mayor Turner, with an abstention from Council member Bateman as he was not present at the July meeting. The minutes were approved as written.***

## **5) DISCUSSION OF ENGAGING THE SERVICES OF GILBERT & STEWART TO PERFORM THE 2013-14 AUDIT. TWO SCENARIOS ARE POSSIBLE INVOLVING \$2,500-3,000 FOR AN “AGREED-UPON PRODECURE REPORT” OR \$5,500 FOR A FULL AUDIT.**

Recorder Lynne Shindurling reported that since the State Division of Drinking Water had approved the Town’s proposal to do an Agreed-Upon Procedure Report rather than a full-blown audit for the fiscal year, Ben Probst with Gilbert & Stewart needs to verify the revenue figures for the year, as it only qualifies for such an audit if the revenue was less than \$500,000. He will review

the figures as they become available from the Town's Treasurer and inform us of his findings.

Council member Blotter inquired whether Mr. Probst is local to the Heber Valley. Ms. Duggin and Treasurer Price both replied he has an Orem office as well as a Heber office.

***With no further discussion on the audit, Council member Blotter moved that the Town opt for the Agreed-Upon Procedure Report for its annual audit. Council member Glodowski seconded the motion, and it passed with unanimous "aye" votes from the Council.***

Once Mr. Probst has reviewed the revenue figures for the year, he will get with Recorder Shindurling to discuss formal retention as the auditor.

#### **6) DANIEL MUNICIPAL WATER ISSUES AS NECESSARY**

Gary Walton reported there had been overusage on water for the past month, which is normal with people watering gardens and using pools, etc. He also stated the hydrants need a routine flushing during the next month.

Merry Duggin, who is still working with Gary Walton on the current water testing, inquired of Mr. Walton if the chlorine report had been sent in and reminded him that the nitrate report is coming due. Mayor Turner asked how they are informed when testing is needed. Ms. Duggin replied it is available online, but they do have a monitoring schedule which informs those doing the reports when testing is required.

Ms. Duggin informed Mr. Walton that since the three-year disinfection byproducts report was done last year, the next one should be due in 2016, or 2017 as referenced on the latest information from the State.

#### **7) POSSIBLE EXTENSION OF DANIEL RESOLUTION DR 2014-0707B REGARDING FIREWORKS AND OPEN FLAME RESTRICTIONS IN THE TOWN OF DANIEL UNTIL SEPTEMBER 30, 2014**

Mayor Turner stated he was called by Fire Marshall Troy Morgan after he was asked by a resident of Crazy Acres if he could do a controlled burn. There have been other inquires of residents wondering if they could burn materials outside of an approved fire pit. Mr. Morgan's suggestion was the Town follow the restrictions currently in place imposed by the County restricting fireworks and open flame until the end of September.

Gary Walton stated it was understanding that the County restrictions would supersede anything the Town did on its own. Mayor Turner stated the Town would rather have something of record as it is incorporated and the County is not. Their language generally pertains to unincorporated areas. Fireworks restrictions throughout the County would remain in place and enforceable, but the issue of open flame should be controlled by resolution by the Town of Daniel. Council member Glodowski stated clearing of brush and debris should not be done during the summer months when the fire danger is high.

Lambert Deegan stated he did get permission to burn a pile of brush as long as he burned it slowly and had a hose available. He was required to be present during the burn.

Procedurally, as far as extending a previously-approved resolution of the Town, Merry Duggin suggested drawing a line through the previous date of passage and replacing with today's date, renumbering the resolution, thereby passing a new resolution. After the changes were made, Mayor Turner read the resolution to the Council and for the record.

***Council member Bateman moved for acceptance of Resolution DR2014-0804. Council member Glodowski seconded the motion. The motion passed unanimously.***

## **8) DISCUSSION OF PRELIMINARY WORK ON IMPACT FEE STUDY**

Ryan Taylor, the Town engineer, was absent from the meeting and will give his report on this next month.

## **9) DISCUSSION OF AWARDING BID FOR ROAD CONSTRUCTION**

Mayor Turner presented a letter on Ryan Taylor's behalf, from Epic Engineering, concerning awarding of two road projects in Daniel: Daniel Road Resurfacing and a second of Crack Sealing and Crack Routing. The letter recommended awarding of the Daniel Road resurfacing project to Geneva Rock as the low bidder and the crack sealing and crack routing project be awarded to Bonneville Asphalt & Repair as the low bidder.

Mr. Deegan asked if the crack sealing hadn't been done just two years ago, to which Mayor Turner replied in the affirmative, but cited some of the sealing was needed again in addition to cracks which were not done previously. Mr. Deegan stated he would offer his services to Mr. Taylor, if needed.

***Council member Blotter moved that the awards as recommended by Epic be approved by the Council. Council member Bateman seconded the motion. The motion passed with unanimous "aye" votes from the Council.***

## **10) RECORDER'S OFFICE: WARRANTS APPROVAL, ANNOUNCEMENTS, ETC.**

The warrants for the month were presented by Clerk Lynne Shindurling.

***Council member Blotter moved for the approval of the warrants as presented, seconded by Council member Bateman, and the warrants were approved by unanimous "aye" votes.***

## **11) POSSIBLE CLOSED SESSION TO DISCUSS THE ACQUISITION OR LEASE OF REAL PROPERTY.**

With the absence of Council member Bunker, the Mayor felt he would like to put this off till the next meeting when hopefully the full council will be present for this discussion.

## 12) ADJOURN

***Council member Glodowski moved to adjourn the meeting. Council member Bateman seconded the motion, and the Council voted unanimously to adjourn. Mayor Turner adjourned the meeting at 7:40 PM.***

**Lynne Shindurling,  
Recorder**

Approved 9-08-2014